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*Rules and Regulations*  
*of the*  
*Board of Education*  
*of the*  
*City of Oakland*  
*CALIFORNIA*

1905



DEPARTMENT OF  
EDUCATION

OCT 21 1967

IRELAND  
UNIVERSITY



*Rules and Regulations*

*of the*

*Board of Education*

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*CALIFORNIA*

*1905*



# INDEX

	Section	Page
Absence:—		
Deduction of Salary, of Teachers .....	5	34
of Pupils, Excuses for .....	7	30
Leave of, by Teachers .....	14	28
of Pupils, Notice to Parents .....	17	28
of Pupils, Unexcused .....	6	30
Adjourn, Motion to .....	12	10
Advertisements in School .....	2	35
Amendments:—		
to Motions .....	24	12
to Rules .....	33	12
Authority, Parliamentary .....	32	12
Books of Pupils .....	11	31
Care of .....	11	31
Free .....	11	31
Buildings, for School Purposes only .....	5	36
Cleanliness of Pupils .....	10	31
Committees:—		
Standing — Named .....	2	9
Appointment of .....	15	11
Meetings of All .....	43½	16
President, Ex-Officio Member .....	16	11
Committee of the Whole .....	9	10
Record of .....	23	12
Committee:—		
Judiciary .....	41	15
Observatory .....	42	15
on Classification .....	35	13
on Evening Schools .....	39	15
on Finance .....	40	15
on Furniture, Supplies and Printing .....	38	14
on High Schools .....	38	14
on Industrial Education .....	43	15
on Rules and Regulations .....	34	13
on School Houses and Sites .....	36	14
Contests:—		
Between Teams of Pupils .....	7	36
Pupils Excused to Practice for .....	8	36
Debate:—		
Duties of Members in .....	17	11
Rules of .....	20	11
Debts—Payment of, by Employees .....	11	38
Desks—Placing in Schoolrooms .....	13	38
Discipline of Pupils:—		
by Principal .....	5	26
by Teacher .....	4	23
Detention at Recess .....	18	29
Detention after School .....	19	29
Diseases—Contagious .....	9	36-37
Districts—School .....	1-2-3	19
Division of Questions .....	29	12
Documents—Educational .....	51	17
Elections:—		
All .....	27	12
of President of Board .....	1	9
of Teachers, etc. ....	44	16
Entertainments, etc. ....	6	36
Errands for Teachers by Pupils .....	20	29
Evening Schools, Committee on .....	39	15



	Section	Page
Excuses for Absence of Pupils .....	7	30
Excuses, Valid, Defined .....	8	30
Expense, incurring .....	59	18
Expulsion of Pupils .....	4	30
Finance, Committee on .....	40	15
Fire Drill .....	1	35
Flag, Rules for Raising .....	12	38
Forms and Blanks, Prepared by Superintendent .....	48	16
Furniture, Supplies, and Printing, Committee on .....	37	14
High Schools, Committee on .....	38	14
Holidays .....	10	37
Industrial Education, Committee on .....	43	15
Instruction, Private for Pay by Teachers .....	15	28
Janitors:—		
Care of Buildings by .....	1	31
Care of Sidewalks, by .....	5	32
Directions to, by Principals .....	6	23
Fire, after 1 p. m. ....	3	32
of Evening Schools .....	4	32
Repairs, Minor, by .....	4	32
Report for Duty to Principals .....	2	31
Right of Appeal to Superintendent or Board .....	4	32
Judiciary Committee .....	41	15
Library, Responsibility of Principals .....	19	25
Meetings of Board:—		
Notice of .....	55	18
Regular .....	3	1
Special .....	14	11
Members of Board:—		
Excused from Voting .....	19	11
In Debate .....	17	11
Rights and Duties .....	17 to 33 (inc)	11-12
Rules of Debate .....	20	11
Six Votes Required .....	18	11
Vote for Reconsideration .....	21	11
Money Received by Supt on acct. of School Fund .....	53	17
Motion to Adjourn .....	12	10
Motions Committed and Re-Committed .....	28	12
Name of Teacher and Grade on Door .....	14	24
Observatory Committee .....	42	15
Office Hours:—		
of Principals .....	8	23
of Superintendent .....	45	16
Order of Business of Board .....	5	9
Order of Motions in Board .....	11	10
Order of Speaking in Board .....	25	12
Organization of Board .....	7	10
Parliamentary Authority .....	1 to 4 (inc)	9
Points of Order .....	32	12
President of Board of Education:—	6	10
Election .....	1	9
Ex-Officio Member of Committees .....	16	11
Powers and Duties .....	5 to 16 (inc.)	9-10-11
Previous Question .....	13	11
Principals of Schools:—		
Rights and Duties .....	1 to 23	22-25
Call for Substitute Teacher .....	16	25
Care of Pupils in Yard .....	3	22
Directions to Janitors .....	6	23
Discipline of Pupils .....	5	23
Library Books Responsibility .....	19	25
Monthly Reports to Superintendent .....	10	24
Official Orders of .....	20	25
Opening Yards and Rooms .....	2	22
Orders and Requisitions for Stationery, etc. ....	9	24
Promotion of Pupils, by .....	6	27
Punishment of Pupils, by .....	4	22
Records .....	15	24

Principals of Schools—Continued.		Section	Page
Record of Tardiness of Teachers .....	1	22	
Reports for Violation of Rules .....	12	24	
Report on Substitute and Special Teachers, etc.....	17-20	25	
Regular Office Hours of .....	8	23	
School Hours of .....	23	25	
Supervision of Schools by.....	7	21	
Supplies to Teachers .....	21	25	
Suspension of Pupils by .....	4-5	30	
Teacher's Name on Class-room Door .....	13	24	
Term Reports of Supplies on Hand .....	11	24	
Truants, Report on .....	18	25	
Punctuality of Teachers .....	2	26	
Pupils:—			
Books of, Free Books .....	11	31	
Care of Books by .....	12	31	
Cleanliness of .....	10	31	
Detention at Recess .....	18	29	
Detention After School .....	19	29	
Discipline of .....	5	23	
Errands to Teachers .....	20	29	
Expulsion of .....	4	30	
Non-Resident .....	2	29	
Physical Exercise of .....	10	27	
Presents by .....	36	36	
Promotions of .....	6	26	
Punishments of .....	4	22	
Registration of .....	3	30	
Resident .....	1	29	
Suspension of:			
by Principals .....	4	30	
by Principals of High Schools .....	5	30	
by Teachers .....	16	28	
Two Days' Absence .....	17	28	
Tardiness of, Defined .....	9	30	
Quorum .....	4	9	
Reading of Papers .....	30	12	
Reconsideration of Votes .....	21	11	
Recitations in High Schools .....	7	27	
Recitation in Elementary Schools .....	8	27	
Records and Files of Secretary of Board .....	55	18	
Records, Manner of Keeping by Principals .....	15	24	
Register, State .....	9	27	
Registration of Pupils .....	1 to 6 (inc.)	19	
Repeal of Rules .....	33	12	
Reports of Superintendent .....	52	17	
Report Cards of Pupils .....	5	26	
Requisitions for Supplies.....	9	24	
Resignations of Teachers .....	13	27	
Resolutions, Written .....	22	12	
Rules and Regulations, Committee on .....	34	13	
Rules to Pupils, Reading of .....	21	29	
Salaries of Teachers, etc.....	44	16	
Salaries .....	1 to 5 (inc.)	33-34	
of New Teachers .....	4	34	
of Substitute Teachers .....	4	33	
of Teachers who Resign .....	4	34	
Deduction for Absence .....	5	34	
Paid Monthly .....	3	33	
Schedule Fixed by Board .....	1	33	
Time of Service for .....	2	33	
School Houses and Sites .....	36	14	
Schools:—			
Classification .....	1	21	
School Year .....	2	21	
School Terms .....	3	21	
Temporary Suspension of .....	4	22	
Daily Sessions .....	5	22	
Recesses .....	6	22	

	Section	Page
Secretary of Board:—	55 to 58 (inc.)	18
Records and Files	55	18
Notice of Meetings	56	18
Transmission of Resolutions, etc.	57	18
Bookkeeping by	58	18
Sale of Supplies by Teachers	11	28
Sectarianism	3	36
Subscriptions	4	36
Superintendent of Schools of Oakland	45 to 54 (inc.)	16-17
Appointment of Substitute Teachers	50	17
Duties on Committees of Board of Education	47	16
Duties Required by State Laws	54	17
Educational Documents	51	17
Forms and Blanks	48	16
Moneys Received	53	17
Office Hours	45	16
Reports	52	17
Suspension of Teachers	49	17
Teachers' Meetings	46	16
Supplies, Authorized by Board	11	28
Suspension:—		
of Pupil by Principal	4	30
of Pupil by Principal of High Schools	5	30
of Pupil by Teacher	16	28
of Rules, etc.	31	12
of Teacher	49	17
Teachers:—		
Appointment of Substitute	50	17
Discipline by	4	26
Eligible for Elementary Schools	2	32
for High Schools	1	32
for Substitutes	4	33
for Principals of Elementary Schools	3	33
Instruction in Morals by	12	28
Knowledge of Rules	1	26
Leaving the Department	13	28
Leave of Absence	14	28
Meetings of	46	16
Must File Formal Application	5	33
Presents to School Officials	4	36
Private Instruction for Pay	15	28
Promotions of Pupils by	6	26
Physical Exercise of Pupils	10	27
Punctuality of	2	26
Reading of Rules to Pupils	21	29
Report Cards to Parents	5	26
Salaries and Elections	44	16
Salaries	1 to 5 (inc.)	33-34
Sale of Supplies by	11	28
School Hours of	3	26
Selection of	1 to 5 (inc.)	32-33
State Register Kept by	9	27
Substitute, Called for by Principal	16	25
Report on by Principal	17	25
Suspension of Pupils by	16	28
Tardiness of	1	22
Use of Supplies Authorized by Board	11	28
Transfer of Pupils	1 to 6 (inc.)	19-20-21
Transmission of Resolution, by Secty of Board	57	18
Truancy, Report on, by Principals	18	25
Tuition of Non-Resident Pupils	2	29
Ventilation and Temperature of Class Room	10	27
Violation of Rules	12	24
Votes—Six Required	18	11
Voting	8	10
Excused From	19	11
Yards of Schools:—		
Opening	2	22
Care of Pupils in	3	22
Yards and Nays	10	10
	26	12

# RULES

OF THE

## BOARD OF EDUCATION

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### I. ORGANIZATION.

Section 1. Election of President.—At the first meeting after the municipal election in March, and the qualification of the members elect, the Board shall elect a President whose term of office shall be one year. In the absence of the President, a President pro tem. shall be chosen who shall possess the powers and perform the duties of the President.

Sec. 2. Standing Committees.—The President shall appoint, within thirty days succeeding his election, subject to the approval of the Board, the following standing committees:

1. Rules and Regulations.
2. Classification.
3. School Houses and Sites.
4. Furniture, Supplies and Printing.
5. High Schools.
6. Evening School.
7. Finance.
8. Judiciary.
9. Observatory.
10. Industrial Education.

Sec. 3. Regular Meetings.—The Board shall hold its regular meetings on the first and third Mondays of each month, when the roll shall be called and the Board shall immediately proceed to business or adjourn. The hour of opening the session of the Board shall be 7:30 p. m.

Sec. 4. Quorum.—Six members shall constitute a quorum for the transaction of business.

### II. POWERS AND DUTIES OF THE PRESIDENT.

Sec. 5. Order of Business.—The President shall take the chair at the hour appointed for the meeting of the Board, shall

call the members to order, and on the appearance of a quorum, shall cause the records of the last meeting to be read from the Record Book. The order of business shall be as follows:

1. Roll Call.
2. Reading of the Minutes.
3. Communications and Petitions.
4. Reports of Special Committees.
5. Reports of Standing Committees.
6. Report of Superintendent.
7. Unfinished Business.
8. New Business.

Sec. 6. Points of Order.—The President shall preserve order and decorum in the meetings; he may speak to points of order in preference to other meetings and shall decide all questions of order, subject to an appeal to the Board, on motion of any member, regularly seconded; and no other business shall be in order until the question on the appeal shall have been decided.

Sec. 7. Order of Speaking.—When two or more members rise to speak at the same time, the President shall name the member who may speak first.

Sec. 8. Voting.—The President shall declare all votes, but if any member doubt the vote, the President, without debate, shall order the roll to be called and shall declare the result.

Sec. 9. Committee of the Whole.—The President shall appoint a chairman when the Board goes into Committee of the Whole; at any other time, he may call any member to the chair, but such substitution shall not continue for more than one meeting.

Sec. 10. Yeas and Nays.—The President shall, at the request of one member, take the sense of the Board by yeas and nays.

Sec. 11. Order of Motions.—All questions shall be stated by the President in the order in which they were moved, unless the subsequent motion shall be previous in its nature; except that in naming sums and fixing times, the largest sum and the longest time shall be put first. After a motion is seconded and stated by the President, it shall be disposed of by a vote of the Board, unless the mover withdraws it before a decision or amendment.

Sec. 12. Motion to Adjourn.—The President shall consider a motion to adjourn as always in order, except when a member has the floor, or when a question has been put and not decided, or during roll call; and motions to adjourn, to lay upon the table, to take from the table, and for the previous question,

shall be decided without debate. Any member who moves to adjourn to a certain day may assign his reason for so doing.

Sec. 13. Previous Questions.—The President shall put the previous question in the following form: "Shall the main question be now put?" and all debate shall be suspended until the previous question shall have been decided. The adoption of the previous question shall put an end to all debate, to bring the Board to a direct vote upon pending amendments, if any, in their regular order, and then upon the main question.

Sec. 14. Special Meetings.—The President or three members may call a special meeting of the Board; but no meeting of the Board shall be called on shorter notice than twenty-four hours, nor without written notice sent to each member by the Secretary, and no business shall be transacted thereat, except that for which the meeting shall have been called.

Sec. 15. Appointment of Committees.—All committees shall be appointed by the President, unless otherwise ordered by the Board.

Sec. 16. Committees.—The President shall be ex-officio a member of all committees.

### III. RIGHTS AND DUTIES OF MEMBERS.

Sec. 17. Duties of Members in Debate.—When any member is about to speak, he shall arise in his place, address the President, and confine himself strictly to the question under discussion.

Sec. 18. Six Votes Required.—No measure or proposition shall be valid unless passed by six votes, except motion to adjourn, to postpone to a definite time, to reconsider, to commit, to lay on the table, to amend, to substitute, or the previous question, in which cases a majority of the members present shall be sufficient.

Sec. 19. Excuse from Voting.—Every member shall give his vote, when a question is put, unless the Board, for special reasons, excuse him. A motion to excuse can be made only before the Board divides, or before the call of the yeas and nays is commenced, and shall be decided without debate.

Sec. 20. Rules of Debate.—No member shall speak more than twice on the same motion, nor for longer than five minutes each time, without leave of the Board, unless he be the mover or proposer of the matter pending, in which case he shall be permitted to reply the second time, but not until all other members choosing to speak shall have done so.

Sec. 21. Reconsideration.—No member who did not vote with the majority shall move a reconsideration of the vote. A

reconsideration can be had only at the same or first subsequent meeting; and notice of the motion to reconsider must be given at the meeting when the question which it is proposed to reconsider was carried.

Sec. 22. Written Resolutions.—All resolutions shall be submitted in writing with the name of the mover; and any motion shall be submitted in writing if the President so direct, or any member request it.

Sec. 23. Record of Committee of the Whole.—Propositions made in Committee of the Whole, or in executive session, unless carried, shall not be entered on the journal.

Sec. 24. Amendments.—No motion or proposition, on a subject differing from that under consideration, shall be admitted under color of an amendment.

Sec. 25. Order of Motion.—When a question is under debate, no motion or proposition shall be entertained but to adjourn, to lay on the table, the previous question, to postpone indefinitely, to postpone to a given day, to commit to, to amend, to substitute; which several motions shall take precedence in the order in which they are above stated.

Sec. 26. Yeas and Nays.—All motions, resolutions, orders and votes of the Board, requiring the disbursement of money, shall be taken by yeas and nays and the vote registered.

Sec. 27. Elections.—All elections shall be by roll call.

Sec. 28. Motions Committed.—All motions and reports may be committed and recommended, at the pleasure of the Board.

Sec. 29. Division of Question.—The division of a question may be called for when susceptible of it.

Sec. 30. Reading of Papers.—When the reading of a paper is called for, and the same is objected to by any member, the matter shall be determined by a vote of the Board.

Sec. 31. Suspension of Rules and Regulations.—The consent of seven members shall be requisite for the suspension of any rule of the Board, or regulation of the schools.

Sec. 32. Parliamentary Authority.—If at any meeting of the Board, questions arise which are not treated of above, they shall be decided by an appeal to Roberts' Rules of Order.

Sec. 33. Amendment or Repeal of Rules.—The rules or regulations may be amended or repealed at any regular meeting of the Board by an affirmative vote of seven members, notice of such proposed amendment having been given in writing at a previous regular meeting.

#### IV. DUTIES AND POWERS OF STANDING COMMITTEES.

Sec. 34. Committee on Rules and Regulations.—The Committee on Rules and Regulations shall take into careful consideration every proposition presented to the Board to repeal or to amend any rule whenever the same shall be referred to them, and shall report for or against the proposed alterations. They shall attend to all matters of discipline referred to them by the Board or Superintendent, and shall investigate the charges which may be preferred against any teacher or school officer for neglect or violation of duty, with power to suspend any teacher or employe of the Department during such investigation, and shall report the facts to the Board at the next regular meeting.

Sec. 35. Committee on Classification.—This Committee shall determine the classification of the Grammar and Primary schools and shall recommend to the Board such transfers of teachers in said schools as they deem desirable, when not otherwise determined by special action of the Board.

In the assignment of teachers, the committee shall be governed by the following general rule: "Any teacher, who at the close of the preceding term shall have completed a group, shall be assigned to the class commencing the work of the same group, and other teachers shall continue with their classes until the work of the group shall have been completed." Except as hereinafter provided, said committee shall recommend the course of instruction to be pursued and shall recommend the adoption of such text-books as may be needed in the course of study, in addition to those required by the State law. Whenever a recommendation is made to adopt any new text book in the schools, it shall lie on the table one month before the final action of the Board therein.

Whenever the Classification Committee may deem it necessary, said committee is hereby empowered to detail teachers of the First Grade to assist from 2:15 to 3 p. m. any Principal in the same school, who has charge of regular class-room work, the assistance rendered to be such as the Principal may direct. If there be two or more First Grade teachers in the same school, the Classification Committee shall detail them in regular order, by the term, to render the needed assistance. No extra salary shall be paid First Grade teachers for such services.

All applications for positions to teach shall be referred to this Committee, and no teacher shall be nominated for a position in this Department until this committee has reported favorably on his or her credentials.



Sec. 36. Committee on School Houses and Sites.—This Committee shall exercise a general supervision over the school houses and school lots of the Department. They shall communicate such information in regard to the location, erection and alteration of school buildings, and repairs thereof, as they may deem necessary for the Board to act upon; and they shall report, during the June vacation, the condition of all school property.

When it becomes necessary to make repairs on any school building, fence, etc., involving only a small expenditure of money for materials, the Principal of such school, or the Department Mechanic, shall report in writing to the Secretary of the Board, as definitely as possible, the repairs needed.

It shall be the duty of the Secretary to call the attention of the Committee on School Houses and Sites to the repairs asked for, and if approved by said committee, he shall record the same in a book known as "The Book of Repairs."

It shall be the duty of the Department Mechanic to go from school to school and make all needed repairs, as recorded in "The Book of Repairs;" nor shall he go to one school a second time for the purpose of making repairs, except in case of emergency, where neglect would be detrimental either to health or property, until he has visited all other schools in the Department asking for repairs.

It shall be the duty of the Department Mechanic to render such reports as will show in detail the work performed by himself and assistants, and the disposition of property placed in his charge.

Sec. 37. Furniture, Supplies and Printing.—This Committee shall prepare and file in the office of the Secretary, on or before the first day of May, annually, written specifications of books, stationery and other supplies that will be required by the department for the ensuing fiscal year; said specifications to state in clear and explicit terms, the quantity and kind of all articles needed.

During the months of June or July of each year they shall examine the furniture, apparatus and other personal property belonging to the Department, and report to the Board its condition, with such recommendations as they shall deem expedient.

All purchases of supplies under the foregoing rule shall be made only upon requisition as provided by Section 9, Art. IV.

Sec. 38. Committee on High Schools.—This Committee shall have general supervision of all affairs of the High School, except in matters pertaining to Industrial Education. It shall be the duty of the members of this committee to visit the schools as often as possible; to familiarize themselves

with the workings, conditions and needs thereof; to take charge of commencements and other public exercises, and to recommend to the Board, from time to time, such changes in the course of study, text books, teachers, etc., as they shall deem necessary to the improvement of the schools. This committee shall, in June or July of each year, make a report to the Board on the condition of the High Schools.

Sec. 39. Committee on Evening Schools.—This Committee shall have general supervision of the Evening Schools. It shall be their duty to recommend to the Board the organization of Evening Schools or classes at such times and places as in their judgment are required, and to supervise the same. In June or July of each year they shall report to the Board, upon the interests committed to them.

Sec. 40. Committee on Finance.—This Committee shall report between the first and tenth days of June of each year, and at other times when necessary, the rates of salaries for the various positions in the Department. They shall audit all bills or accounts chargeable against the School Fund, except claims for salaries and rent. All bills, before being audited, shall be sworn to by those presenting the same, and must be accompanied by requisitions dated and countersigned by the Secretary.

They shall investigate the expenses of the Department, and see that the school moneys apportioned to the city are legally disbursed; and they shall also make a report at the first regular meeting in July of each year, wherein they shall present an estimate of the items of expenditure of the public schools for the ensuing fiscal year, accompanying the report with such suggestions as they may deem beneficial to the interests of the Department.

Sec. 41. Judiciary Committee.—This Committee shall examine the laws and report concerning questions of law referred to them.

Sec. 42. Observatory Committee.—This Committee shall supervise all matters pertaining to the Chabot Astronomical Observatory that shall be referred to them. They shall make to the Board from time to time, such recommendations concerning it as to them may seem appropriate, and shall annually, in the month of July, present a report of its condition and the work done therein.

Sec. 43. Committee on Industrial Education.—This Committee shall supervise all matters pertaining to Industrial Education that may be referred to them, and at the close of each school year shall report in writing the condition, progress and cost of such education.

Sec. 43½. All Committees shall meet regularly on the Friday evenings preceding the regular meetings of the Board of Education.

## VI. ELECTIONS.

Sec. 44. Elections.—Between the first and tenth days of June, annually, the Board of Education shall fix the salaries of instructors and other employees of the School Department.

Between the first and thirtieth days of June, annually, the Board shall elect instructors and other employees of the Public Schools. The teachers, janitors and other employees so elected shall hold their positions for one year unless sooner dismissed by a vote of the Board.

## VII. SUPERINTENDENT AND HIS DUTIES.

Sec. 45. Office Hours.—The Superintendent of Public Schools shall be the executive officer of the Board of Education. His office hours shall be from 8 o'clock a. m. to 5 o'clock p. m. each day, except Saturday; on which day his office shall be open from 8:30 a. m. to 12 m.

Sec. 46. Teachers' Meetings.—He shall visit each school at least once a month, advise with teachers, and make himself familiar with the wants and conditions of the School Department. He shall hold regular meetings of the teachers employed in the public schools of this city as follows: On the second Thursday of each school term, a general meeting of all the teachers; on the fourth Thursday, a meeting of the primary teachers; on the sixth Thursday, a meeting of the High School and Grammar School teachers. While the schools are in session he shall hold meetings of the principals of the various schools at such times as he may deem necessary, but not less, however, than once every two months. He shall have power to call special meetings of teachers whenever he may deem such meetings necessary. For the purpose of holding regular or special meetings, he shall have power to close any of the schools earlier than the hour fixed by the Manual.

He shall report to the Board of Education the name of any teacher who shall, unexcused by him, fail to attend, and take part in any of the meetings.

Sec. 47. Committees.—He shall render such aid and communicate such information to the various committees as they may require.

Sec. 48. Forms and Blanks.—He shall prepare, in uniform style, the forms for all blanks, cards, circulars, record books, etc., used in the department.

Sec. 49. Suspension.—It shall be his duty to suspend any teacher for any willful violation of the rules of the Board of Education, and to report such suspension to the Committee on Rules and Regulations, who shall investigate the charges, and report the result at the next regular meeting of the Board.

Sec. 50. Appointment of Substitutes.—Any teacher eligible to a position in this Department may, upon application, be placed upon the substitute list, and it shall be the duty of the superintendent to keep a list of the names of such applicants, and from time to time detail, in regular order, substitutes to fill vacancies for the period of one day or more, and report such detail at the next regular meeting of the Board; provided, that no teacher whose work has been reported unsatisfactory by three separate principals shall be detailed or appointed substitute teacher by the superintendent.

Sec. 51. He shall exchange the educational documents of the Board with those of the educational officers of this country and other countries, and shall preserve the documents so received, in the library of the Board.

Sec. 52. Reports.—He shall report at least semi-annually the financial condition of the Department, and shall make an annual report at the end of the school year, showing the receipts and expenditures of the schools and their educational condition. When required, the superintendent shall make written reports to the Board on the condition of each class in the Department. Such reports shall specify the merits and defects of classes, their condition, progress, etc.

Sec. 53. He shall pay immediately to the City or County Treasurer all moneys received by him on account of the School Fund, for tuition of non-residents, or from any other source, taking his receipt therefor, and shall report to the Board, monthly, the sums so received and paid over.

Sec. 54. Duties Required by State Law.—The Superintendent shall have power, and it shall be his duty:

1. To enforce the course of study, the use of text-books, and the rules and regulations for the examination of teachers, prescribed by the proper authority.
2. To distribute all laws, reports, circulars, instructions and blanks which he may receive for the use of the school officers.
3. To keep in his office the Reports of the State Superintendent of Public Instruction.
4. To make reports when directed by the State Superintendent of Public Instruction, showing such matters relating to the public schools in this city as may be required of him.
5. To preserve carefully all reports of school officers and

teachers, and at the close of his official term, deliver to his successor all records, books, documents and papers belonging to the office, taking a receipt for the same.

### VIII. DUTIES OF THE SECRETARY.

Sec. 55. Records and Files.—The Secretary shall have charge of the records of the Board and of all papers directed to be placed on file; he shall keep a full and accurate record of all proceedings of the Board, and an index of the same.

Sec. 56. Notice to be Given.—He shall notify all members of special and adjourned meetings; he shall notify the chairman of every committee appointed, stating the commission and names of the members associated with him; he shall notify teachers of their appointment, and shall give such other notices as the Board may require.

Sec. 57. Votes to be Transmitted.—He shall transmit copies of all resolutions and documents which are to be sent to the members of the Board, to the chairman of various committees, to teachers, or other persons.

Sec. 58. Examination of Bills.—He shall examine all bills or claims presented to the Board for payment, and shall keep full and accurate accounts of all the receipts and expenditures of the Board, and present to the Committee on Finance a balance sheet of his books as soon as practicable after the close of the fiscal year, and whenever requested by that committee, and perform such other duties as shall be required of him by the Board of Education.

Sec. 59. Incurring Expense.—Neither the Superintendent nor any Director shall incur any expense against the Department unless authorized by the Board; provided, that in case of urgent necessity, for repairs or supplies, the Superintendent or Chairman of the Committee on School Houses and Sites, or Chairman of the Committee on Furniture and supplies, shall be authorized to purchase the same at an expense not to exceed twenty-five dollars.

# REGULATIONS

OF THE

## OAKLAND PUBLIC SCHOOLS

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### ARTICLE I.

#### SCHOOL DISTRICTS.

Section 1. The City of Oakland, for school purposes, shall be divided into three districts, as follows:

First. All that territory within the city limits, west of the estuary, south of the center line of Seventh street and east of the center line of Chester street, shall constitute District No. 1.

Second. All that territory within the city limits east of the estuary and known as "East Oakland," shall constitute District No. 2.

Third. All the remaining territory within the city limits shall constitute District No. 3.

Sec. 2. All pupils, in primary or grammar grades, except as hereinafter provided, must attend some school within the district in which they reside. Pupils who live in District No. 1, east of the center line of Washington street, who have completed the Fifth grade work are exempt from the provisions of this section.

Sec. 3. A pupil is entitled to attend any school in the district in which he resides, provided there is room in the grade to which he belongs.

### ARTICLE II.

#### REGISTRATION AND TRANSFER OF PUPILS.

Sec. 1. It is made the duty of the principals of the various schools to enroll, at the beginning of each term, all pupils in the district applying for admission to each class. Should the number enrolled in any class exceed the class limit, the principal shall report the names and addresses of all pupils in such class to the superintendent; the superintendent shall transfer from

such class to other classes in the district, of equal grade, a sufficient number of pupils to reduce the class to the limit. In making such transfers, the superintendent shall transfer those pupils who can be most conveniently accommodated with school facilities in other buildings in the district than the one in which the overcrowded class exists. He shall transfer such pupils to the school building nearest the residence of said pupil, provided there is a class of suitable grade in said building, unless requested by the parents to transfer the pupil to some other school building in said district in which there is room. If, in making the transfer of pupils to the nearest school building in order to relieve an overcrowded class, he should overcrowd a class in the school to which transfer is made, said class shall in turn be relieved by the transfer of pupils in the same manner as herein indicated. Convenience as to distance shall be determined by counting blocks on graded streets between the residence of the pupil and the school building. A double block shall be counted as two blocks. Differences in length of single blocks shall not be considered.

Sec. 2. A certificate of promotion, showing the grade to which the pupil belongs, shall entitle a pupil to admission to any school in his district at the commencement of the school year. After a pupil has entered and registered as a pupil in any school in the city, he can be admitted only by transfer or promotion to any other school in the city. Pupils can be admitted to any grammar or primary school in the city after the first two days of each term, only on the order of the Superintendent of Schools.

Sec. 3. The Superintendent of Schools is instructed to transfer pupils during the first and second weeks of each term, to relieve classes containing more than the class limit.

During the first two days of the second term he is instructed to transfer pupils at the request of parents. At all times he is authorized to transfer pupils on account of removal, or for discipline, provided that no pupil who is enrolled in a class regularly constituted at the close of the second day of the term shall be removed to make room for another pupil. Transfers for all other causes shall be made by the Board of Education in open session. Before the Board can take action on any transfer, application for said transfer must be made in writing.

Nothing in this section shall be construed as giving the superintendent power to transfer a pupil from one district to another for any other reason than for removal or discipline.

Provisions of this section shall not apply to evening schools.

Sec. 4. Except as herein after provided, the number of pupils in any regularly organized grammar or primary class in

the schools of this city, shall not exceed forty-six, except by special order of the Classification Committee, when the number may be increased to fifty.

In High School classes, the number shall not exceed forty-five, except by order of the High School Committee.

Sec. 5. Whenever any pupil applies for admission to a class that contains the prescribed number of pupils, it is made the duty of the City Superintendent of Schools to register such pupils in the order of their application, and to notify the parents of such pupils as soon as a vacancy occurs; provided, however, the registration of pupils shall be governed as follows:

1. He shall not register a pupil who, at the time of application for registration, can be conveniently accommodated in some school in the city.

2. A pupil applying for registration must be registered in all of the schools of his district conveniently situated, and must be assigned to the first vacancy occurring in any of the schools in which he is registered.

Sec. 6. Pupils, who request it, shall be entitled, on leaving school, to receive a certificate in accordance with their scholarship and deportment.

### ARTICLE III.

#### CLASSIFICATION AND SESSIONS OF SCHOOLS.

Sec. 1. Classification of Schools and Grouping of Grades.—The schools of this Department shall be classified as Primary, Grammar, High, and Evening schools.

The First, Second, Third, and Fourth Grades shall constitute the Primary Grades. The Fifth, Sixth, Seventh, and Eighth Grades shall constitute the Grammar Grades, and all grades above the Eighth Grade shall be known as High School grades.

The grouping of the various grades in the Grammar and Primary schools shall be as follows: First group, First Grade; Second group, Second Grade; Third group, Third and Fourth Grades; Fourth group, Fifth and Sixth Grades; Fifth group, Seventh and Eighth Grades.

Sec. 2. School Year.—The school year shall begin on the first day of July, and end on the last day of the following June.

Sec. 3. The school year shall be divided into two terms of twenty-one weeks each. The first term shall open on the second Monday of August, and close on the Friday preceding the third Monday after the first day of January. The second term shall open on the third Monday after the first day of January.



There shall be a mid-term vacation of one week, commencing the second Monday in April. For other matters pertaining to school vacations, see School Calendar.

Sec. 4. Temporary Suspension of School.—The President of the Board shall have power to suspend the schools in case of emergency; but his action shall be submitted to the Board for consideration, at the earliest opportunity.

Sec. 5. Daily Sessions.—The daily sessions of all the day schools shall begin at 9 a. m., Mt. Hamilton time, and shall end in the High and Grammar Grades at 3 p. m., unless otherwise ordered by the Board of Education. In the Primary Grades, the First and Second Grades shall close at 2:15 p. m., the Third and Fourth Grades at 2:30 p. m., provided that the Superintendent of Schools is empowered to continue the session from 12 m. until 1 p. m., in any or all of the Grammar or Primary classes or schools, during very stormy weather, when in his judgment it would be detrimental to the health of the pupils to be dismissed at 12 m., and to order such classes or schools closed for the day at 1 p. m.

The sessions of the Evening Schools shall begin at 7:15 p. m. and close at 9:15 p. m.

Sec. 6. Recesses.—In Grammar and Primary Classes, a recess shall be given from 10:30 to 10:45, and from 12 to 1 o'clock, and in the High Schools from 12 m. to 1 p. m. only.

## ARTICLE IV.

### RIGHTS AND DUTIES OF PRINCIPALS.

Sec. 1. Tardiness.—Principals shall be at their schools at 8:30 a. m. Principals shall keep a record of the attendance and punctuality of assistants in the "Teachers' Time Table," provided for that purpose, including their own record therein.

Sec. 2. Opening Yards and Rooms.—Principals shall require the school yards to be opened at least by 8:30 a. m., and class rooms at least by 8:45 a. m. In rainy weather, class rooms shall be opened at 8:30 a. m., and yards at 8:15 a. m.

Sec. 3. Care of Pupils in Yards.—In Grammar Schools the Principals shall take charge of the boys' yard in person. Principals may detail teachers in regular order, to assist in care of yards.

Sec. 4. Punishment.—Corporal punishment shall be resorted to only in extreme cases, when other means fail to secure obedience. No cruel or unusual punishment shall be allowed; and no corporal punishment shall be inflicted in the High or Evening schools, or upon girls in the Grammar or Primary

grades. It shall be administered by principals only, and in the presence of a teacher or other competent witness. Each principal shall record in the State Register each case of corporal punishment, the manner in which it was inflicted, the name, age, and offense of the pupil, and a report of the same shall be made monthly to the Superintendent.

Sec. 5. Discipline.—Principals shall be responsible for the general discipline of their schools, and shall have power to hold pupils to a strict accountability for any disorderly conduct on their way to or from school or on the school playgrounds; they shall endeavor to prevent the gathering of pupils about the premises before the time of opening the yards, and shall require them to go home immediately after dismissal; provided, that with the consent of the parents, pupils may be privileged to remain after school in school rooms or on the grounds, under the supervision of a teacher or the principal.

For the first offense of absence or tardiness in any school year of any pupil without valid excuse, the principal shall notify the parent or guardian. For the second offense, the principal shall require an interview with the parent or guardian for the purpose of securing the better attendance of the pupil. For the third offense, the case shall be referred to the City Superintendent of Schools. Should a further offense occur, the matter shall be referred to the Board of Education.

Absence without valid excuse for a continuous period is to be counted as a single offense of absence.

Principals shall keep on file a complete record of all pupils, who are absent or tardy without valid excuse, giving date of absence or tardiness and number of times of each delinquency.

Sec. 6. Directions to Janitors.—Principals shall give such directions to the janitors as will insure the neatness and cleanliness of yards, school rooms and furniture, and the making of minor repairs about the school premises. If janitors fail to follow instructions the principal shall report to the superintendent. Principals shall be responsible for the care of school buildings during school hours; janitors at all other times.

Sec. 7. Supervision.—Principals, when not engaged in teaching a class, shall devote their time to the general supervision of their schools. They shall visit daily classes taught by substitute teachers.

At the close of each school month principals must report to the superintendent, on official blanks, concerning the success or failure of substitute teachers, who have taught for at least three consecutive days in their schools.

Sec. 8. Principals shall have regular office hours, and post notice of the same on their office door.

Sec. 9. Orders and Requisitions.—Principals shall send to the office of the superintendent, on blanks, as directed by the superintendent, all requisitions for stationery, pens, ink, paper, blanks, cards, etc. These requisitions, to be acted upon, must be filed with the secretary of the Board on or before 5 p. m. of Thursdays prior to Board meetings.

All materials for the use of the department must be purchased upon requisition presented by the principals of schools, superintendent of schools, or the department mechanic, to the Board of Education. After reference to and report thereon by the Committee on Furniture and Supplies, they must be passed upon in open Board, and if allowed they must be dated and countersigned by the secretary, who shall keep a record of the same.

All bills for supplies delivered to the School Department shall be accompanied by the original requisitions, signed as above provided, and checked and receipted as to the quantity, by the person receiving the goods. The bill with requisition to be sent to the office of the secretary of the Board of Education within thirty days after delivery of the goods.

Sec. 10. Monthly Reports.—Principals shall make monthly reports of their schools, to the superintendent, on or before the Tuesday following the last Friday of each school month of four weeks. They shall at all other times report promptly to the superintendent such information as he may desire.

Sec. 11. Principals shall report semi-annually, on official blanks, the amount of supplies purchased for the term and the amount still on hand, and any other information as required by the secretary of the Board.

Sec. 12. Violation of the Rules.—Principals shall report immediately to the superintendent and willful violation of assistants of the rules of the department and the superintendent shall report to the Committee on Rules any violation by principals. If deemed advisable by the committee, they shall report the same to the Board for action thereon.

Sec. 13. Incompetent Teachers.—Principals shall report to the superintendent at least twenty days before the end of each term upon a blank form to be provided by the superintendent, as to the efficiency of each teacher under him, the order and attention maintained in each class, and the condition of each class room.

Sec. 14. Names.—Principals shall post the name of the teacher and the grade of each class on the outside of the door of each class room.

Sec. 15. Manner of Keeping Records.—Principals shall see that all record books are correctly and uniformly kept in

accordance with the plan prescribed by the superintendent.

Sec. 16. When a regular teacher is absent from school at 9 o'clock a. m., the principal must immediately call for a substitute, unless previously notified that the teacher will be present before 9:10 a. m. In case a regular teacher arrives after a substitute has been sent for, the substitute must remain in charge of the class for the entire day, and receive the salary.

Sec. 17. Substitute and Special Teachers.—Principals shall include in their monthly report a statement, giving the name and exact time of teaching of each substitute during the month, and the name of the teacher whose place has been filled, with the grade of the class. They shall also include a report of absence of special teachers, and of their own absence, with reasons.

The superintendent may detail special teachers to such duties as in his judgment would prove beneficial to the department, and the time so occupied shall be considered the same as if regularly employed.

Sec. 18. Truancy.—Principals shall report immediately the names of truants, to their parents or guardians, and to the superintendent.

Sec. 19. Library Books.—The principal of each school shall be held responsible by the Board of Education for the proper care of all library books and books of reference belonging to said school, and shall, at the end of each school year, or when called upon, make a report in writing to the superintendent, giving the names of the books belonging to the school, together with all books furnished to indigent pupils, and the number collected from them.

Sec. 20. Principals shall give all official orders to assistants in writing.

Sec. 21. Record of Supplies Furnished.—Principals shall keep a record of the amount of supplies furnished each teacher and shall report the same to the Board of Education at the close of each term and at such other times as required.

Sec. 22. Time Reports of Special Teachers.—Principals shall keep a daily record of the time spent by each of the special teachers and department mechanic, in the schools under their charge, and shall report the aggregate time spent, times tardy and time lost by leaving before school closes, on the monthly "Time Report."

Sec. 23. Principals shall remain on the school premises from 8:30 a. m. until 3:30 p. m., unless absent on school business, or with the knowledge and consent of the City Superintendent of Schools.

## ARTICLE V.

## RIGHTS AND DUTIES OF TEACHERS.

Sec. 1. Requirements.—All teachers are required to make themselves familiar with the rules that relate to their school duties.

Sec. 2. Punctuality.—Teachers shall punctually observe the hours for opening and closing school, shall remain on the school premises during the noon intermission as directed by the principal; provided, that the superintendent is empowered to direct either principals or teachers to visit other classes in the department, or elsewhere, for the purpose of interchange and observation of methods of instruction.

Sec. 3. Teachers shall be in their class rooms at 8:45 a. m., by Mt. Hamilton time, during pleasant weather; during stormy weather, at 8:30 a. m. Evening-school teachers shall be in their class rooms not later than 7:05 p. m., Mt. Hamilton time, and no pupil shall be admitted to the class room until the teacher is present.

Sec. 4. Discipline.—Teachers shall be responsible for order in their own rooms, and elsewhere when assigned to special duty by the principal. A child who may be sent from the room on account of discipline, must be sent directly to the principal.

Sec. 5. Report Cards.—Class teachers in Grammar and Primary schools shall send a statement of the standing of each pupil to the parent or guardian of the same at the close of each school month.

The standing in the several studies is to be the judgment of the teacher, and may be based upon the daily recitation, either written or oral, of the pupil, and upon such written work as may from time to time be required by the principal or superintendent.

Sec. 6. Promotions.—There shall be no fixed time for the promotion of pupils for the Grammar and Primary grades. Each teacher in the Grammar and Primary grades shall be required to instruct the pupils under her in at least two divisions. If the pupils in any room belong to the same grade or division, the class shall be divided, according to the ability of the pupils, as nearly as possible into two equal divisions. Whenever any section or division has, in the judgment of the teacher, the principal of the school, and the superintendent of schools, completed the work of the grade, such pupils of the section or division as have completed the work shall be promoted to the next higher grade, and such pupils as have not completed the work shall be remanded to the next lower division of the same grade.

All minor details in the working out of the foregoing plan of promotion shall be left in the hands of the superintendent of schools with full power to act.

Principals are authorized to promote deserving pupils at any time.

Sec. 7. No recitation in the High School shall be of longer duration than forty-five minutes. The first fifteen minutes of hour-periods shall be used by the pupils for study, except in laboratory work, manual training, type-writing, or drawing.

Sec. 8. Grammar grade teachers shall, upon the assignment of a lesson, call the attention of the pupils to the important points, and to any new principle involved in the lesson assigned, and shall give such other directions as will aid the pupils to acquire systematic habits of study.

No written recitations shall be of more than forty-five minutes' duration in the Primary grades; nor shall there be more than two written recitations in any one day.

Sec. 9. State Register.—Each teacher shall keep a "State Register" in the required form, including the name, age and residence of each pupil, together with the name of the parent or guardian.

Sec. 10. Ventilation and Temperature.—Teachers shall be responsible for the proper ventilation of their rooms.

When fires are necessary, do not permit the temperature to exceed sixty-eight degrees nor fall below sixty-five degrees.

Let each teacher place on the blackboard, where it may easily be seen, a table like the following:

	M.	T.	W.	T.	F.	
9:00						
10:00						
10:30						
11:20						
1:30						
2:00						
2:30						
3:00						

The temperature shall be taken and recorded at the times indicated in this table in all the grades that close at 3 o'clock; and in the other grades to suit the hour of closing. Let a copy of the record be transcribed each week into the class register as a permanent record for the term.

Have the physical exercises daily at the times indicated in the foregoing table. During these exercises let the doors re-

main open, except in very cold weather, when they may be left open just long enough to change the air in the rooms. On a cold, windy day, half a minute may be long enough.

Sec. 11. Selling Supplies.—Teachers shall neither advise nor require their pupils to purchase books, publications or school supplies of any kind, except those authorized by the Board, nor shall they sell to their pupils any books, papers, pencils, or any other school appliances.

Sec. 12. Morals.—“It shall be the duty of all teachers to endeavor to impress on the minds of the pupils the principles of morality, truth, justice and patriotism; to teach them to avoid idleness, profanity and falsehood; to instruct them in the principles of free government, and to train them up to a true comprehension of the rights, duties and dignity of American citizenship.” (Sec. 1702, Political Code.)

Sec. 13. Leaving the Department.—Teachers intending to leave the department shall give the Board of Education at least two weeks’ notice of such intention. A failure to give such notice shall be regarded as a relinquishment of all salary for the two weeks, which salary shall be forfeited.

Sec. 14. Leave of Absence.—Leave of absence granted to any teacher for a period of more than one month shall necessitate the placing of such teacher upon the unassigned list, and another teacher shall be permanently assigned to the position thus vacated; provided, that teachers who have served continuously in the department for five years may be granted leave of absence without pay for not more than six months, and the positions of such teachers shall be kept open until their return, provided, that such leave of absence when once granted cannot be abbreviated; provided further, that three and six months leave of absence shall be granted only from the beginning of the term, except in cases of total disability.

Sec. 15. No principal or teacher in this department, shall give private instructions for pay, to any pupil, who is a member of the school in which said principal or teacher is employed, nor shall any principal or teacher use any school room or building in this department for the purpose of giving private lessons or instruction for pay, without the consent of the Board of Education, properly attested by the secretary of said Board.

Sec. 16. Suspension from Class Exercises.—A teacher may temporarily suspend a pupil from class exercises, but such suspension must immediately be reported to the principal for his decision.

Sec. 17. Notice of Absence.—Whenever a pupil is absent two successive days, the teacher shall notify the parent imme-

diately, unless satisfactory information of the cause of absence is obtained.

Sec. 18. Detention at Recess.—Pupils shall not be detained in school for punishment or study during any part of the noon intermission or short recess. All pupils shall be required to pass out of the class rooms at recesses, except in inclement weather, or in case of delicate health.

Sec. 19. Detention After School.—Pupils in Grammar and Primary schools shall not be detained, for study or punishment, more than half an hour after regular time for dismissal.

Sec. 20. Errands.—Teachers shall not send their pupils on errands during session hours, except on urgent school business, with the consent of the principal.

Sec. 21. Teachers shall read to their pupils at least once in each school term the rules which govern them.

## ARTICLE VI.

### RIGHTS AND DUTIES OF PUPILS.

Sec. 1. Resident Pupils.—All schools shall be opened for the admission of children between six and twenty-one years of age, residents of Oakland School District; provided, that the time for receiving beginners into A First grades be limited to the first four weeks of each term.

Sec. 2. Non-Resident Pupils.—Non-resident pupils shall be admitted to the public schools of Oakland only to the extent that the school accommodations may be in excess of the immediate need of the resident population. For this privilege all such non-resident pupils attending the public schools shall pay to the Board of Education, to the credit of the proper fund, for each term, in advance:

High School .....	\$25 00
Eighth and Seventh Grades Grammar School....	12 00
Sixth and Fifth Grades Grammar School .....	10 00
Primary Grades .....	8 00

No non-resident pupil shall be admitted to a seat in any school of the department until such pupil shall have presented to the principal of the school a receipt showing that the required tuition has been paid to the superintendent. Except when the schools are filled by the resident pupils, non-resident parents or guardians shall be entitled to send a pupil belonging to their own family upon the payment of the regular tuition less one-tenth (1-10) of said tuition for each and every \$500 valuation of Oakland City property on which they pay taxes. A receipted tax bill shall be required as evidence.



Sec. 3. Registration.—Each pupil shall be required to fill out a Registration Blank before being enrolled as a member of any school in this city. Principals are forbidden to enroll non-residents as pupils without the written consent of the superintendent. When a pupil of one school is transferred to another school, a copy of the Registration Blank shall accompany the transfer.

Sec. 4. Expulsion or Suspension.—Willful disobedience, habitual truancy, habitual vulgarity or profanity, stealing, or the carrying of deadly weapons, shall constitute good cause for suspension or expulsion from school. Only principals shall suspend pupils, and they shall immediately report all cases of suspension to parents or guardians, and to the superintendent, who may suspend for a limited time; but only the Board shall have power to expel permanently.

Sec. 5. On or after the first day of the second month of the school term, all pupils in the High School unsatisfactory in their standing in all of their subjects shall be dropped from the school for the remainder of such term; and the superintendent and parents shall be notified immediately of such action.

Sec. 6. Absence.—The unexcused absence of a day-pupil, for three days in any school month, shall be good cause for forfeiture of seat; but on application by the parent, the principal may re-admit to the class, subject to such seating accommodations as the room may afford.

No pupil shall be absent a part of the day for the purpose of receiving instruction elsewhere.

Pupils of the Evening School, who are absent three or more times in any week, except on account of sickness, shall forfeit the right of attendance until reinstated by the superintendent.

Sec. 7. Excuses.—Pupils are required in all cases of absence to bring on their return to school, an excuse in writing from their parents or guardians, assigning good and sufficient reasons for such absence. Teachers are authorized to require excuses from the parents or guardians of pupils either in person or by written note, in all cases of absence or tardiness, or of dismissal before the close of school.

Sec. 8. The only valid excuses for absence or tardiness, except on days held sacred by parents, shall be (1) sickness of the pupil; (2) sickness of some member of the family requiring the presence of the pupil at home, or making it impossible to send the pupil promptly; (3) inclement weather, when sending the pupil would endanger his health; (4) accident delaying the pupil after he has started to school.

Sec. 9. Tardiness.—Pupils who are not in their class

rooms or in line, at 9 o'clock, shall be marked as tardy; but pupils shall not be required to enter school before that time, nor shall extra credits be given as an inducement for them to be present at an earlier hour. Exceptions to the second clause of Sec. 6, and to the first clause of this section, may be made by the principal of the school with the consent of the superintendent, or of the Committee on Rules and Regulations.

Sec. 10. Cleanliness.—Pupils shall give due attention to personal neatness and cleanliness, and any who fail in this respect may be sent home to be properly prepared for school. No pupil who is affected with any contagious or offensive disease shall be allowed to remain in any school.

Sec. 11. —Books.—Pupils, on entering school shall be furnished with a list of books and other articles required in the course of study, and the neglect or refusal of parents to supply the required books within one week shall constitute cause for forfeiture of seat. When parents or guardians are too poor to furnish the required books or articles, application in writing may be made on the proper blank to the superintendent, by the parent or guardian, to supply them at the expense of the Board. This inability must be certified to by the applicant, and be attested by the principal and by at least two other responsible persons. The superintendent may furnish them from the fund provided by law for indigent children. All books supplied shall be stamped with the name of the school, and shall be collected by the principal at the end of each term, recorded in a book kept for that purpose, and placed in the school library to be used as occasion may require in supplying indigent pupils.

Sec. 12. Pupils shall be required to use their books with care, and preserve them from pencil marks and all unnecessary defacement. Teachers may require all books to be covered, and shall frequently examine all books of their pupils.

## ARTICLE VII.

### RIGHTS AND DUTIES OF JANITORS.

Sec. 1. Janitors shall be responsible for the care of school buildings at all other times than school hours of daily sessions of schools.

Sec. 2. Janitors shall report for duty to principals of schools at the hour of opening and closing. In such large schools as may be designated by the Board they shall devote their whole time to the duties of their position. They shall keep school buildings, furniture, yard, and outbuildings neat and clean; shall build fires, open and close school buildings

and yards, and perform other responsible duties as ordered by principals.

They shall clean the woodwork of the school building, desks, etc., at least twice a year, once during summer vacation, and once during holiday vacation. They shall clean windows when necessary, and shall properly ventilate building, mornings and evenings.

Sec. 3. Neither teachers nor janitors shall put coal into stoves after one o'clock p. m., unless by order of the principal.

Sec. 4. Janitors of Grammar schools shall attend to all minor repairs about the premises. They shall have the right to appeal from the orders of the principal to the superintendent or the Board. Janitors of Evening Schools shall remain on the premises during the session, unless excused by the principal.

Sec. 5. Janitors having charge of Grammar or High School buildings shall, in addition to their other duties, keep the sidewalks around the school premises in a neat and orderly condition.

## ARTICLE VIII.

### SELECTIONS OF TEACHERS.

Sec. 1. For positions in the High Schools, only those teachers shall be eligible who hold High School certificates and are graduates of the State University, or some college or university of equal rank. The provisions of this section shall not apply to those persons who are now regular teachers in the High Schools.

Sec. 2. A person to be eligible to a position in any Grammar, Primary or Evening School in this department, must hold a Grammar Grade or High School certificate, and must have had at least two years' experience in teaching in public schools, or must be a graduate of one of the California State Normal Schools, or of some other State Normal School of equal rank, or must be a graduate of the State University, or some other college or university of equal rank; provided, however, that only such graduates of universities or colleges who have taken a pedagogical course, including some practical work in teaching, and who hold recommendations of special fitness to teach from the pedagogical department of the university or college of which the applicant is a graduate, shall be eligible, without two years' experience, to a position in any Grammar, Primary or Evening School in this Department; provided further, that only such graduates of Normal Schools who hold a recommendation of special fitness to teach from the faculty or president of the Normal School of which the applicant is a graduate, shall

be eligible without two years' experience to a position in any Grammar, Primary or Evening School in this department.

Sec. 3. A person, to be eligible to the position of principal of a Grammar or Primary School, must be a graduate of some college or university, or normal school, with five years successful experience. This rule shall not apply to those who have heretofore been, or who are now, principals in the department.

Sec. 4. No teacher shall be placed on the substitute list who is not eligible to a regular position in this department; nor shall any teacher who has at any time been a regular teacher in the Oakland School Department be placed upon the substitute list by the Superintendent without the order of the Board of Education.

Sec. 5. All applications for positions as teachers in the Oakland School Department must file with the secretary of the Board an application giving definite information concerning the following: Nativity, age, graduate of what normal school, university or college, and date of such graduation; the certificate held, or diplomas awarded entitling the holder thereof to teach in the public schools of California; the date of such certificate and diplomas; number of years' experience in teaching; in what school taught; and time taught in each school; name and address of three references. The secretary shall refer all such applications to the Committee on Classification of Teachers, and all applications so referred to said committee when endorsed, approved, by said committee shall be, together with said indorsement, entered in a book kept for that purpose. No teacher shall be eligible to nomination and election in the department who has not furnished the Board of Education full and complete information concerning matters referred to in this section.

## ARTICLE IX.

### SALARIES.

Sec. 1. The Board of Education shall, in accordance with Section 124, Article 7, of the City Charter, between the first and tenth days of June each year fix a schedule of salaries for teachers and other employees of the School Department, to take effect on the first day of July following, and to remain in force during the fiscal year.

Sec. 2. The service required of each teacher in the department during any school year shall be forty-two weeks.

Sec. 3. All demands for salaries shall be paid monthly.

Sec. 4. Pay of Substitute Teachers.—Substitute teachers

shall be paid at the same time and in the same manner as regular teachers, and at the following rates per diem:

High School .....	\$4 00
Eighth, Seventh, Sixth and Fifth grades....	3 00
Primary grades .....	2 50

Any teacher, who shall be designated by the Board of Education to act as substitute principal during the absence of the principal, shall receive in addition to his or her regular salary as teacher, compensation as hereinafter provided.

Substitute principals in Grammar or High schools, two dollars per day.

Substitute principals in Primary schools one dollar per day for each and every day of such service.

Provided, that full salary be paid to all substitutes who teach one month or more.

Sec. 4. Pay of New Teachers and Pay of Teachers Who Resign.—Any teacher who shall be elected into the department after the beginning of the fiscal year, or who commences to teach after the beginning of the school year, or who shall resign, or shall take leave of absence during said year, or who shall be absent more than one month as defined in Sec. 5, in any given year, shall receive in the aggregate for service rendered such a part of the annual salary as the weeks of service rendered is of the total number of weeks of service required.

Sec. 5. Absence, Deduction for Same.—Teachers, when they are to be necessarily absent from school, shall notify the superintendent as soon as possible before the absence is to occur, that he may provide competent substitutes. Should any teacher be unexpectedly absent, word must be sent from the school, at once, to the superintendent. Whenever regular teachers are absent from school at 9 o'clock a. m., principals must immediately call for a substitute, unless previously notified that the teacher will be present before 9:10 a. m. In case a regular teacher arrives after a substitute has been sent for, the substitute must remain in charge of the class for the entire day, and receive the salary. Teachers, who shall be absent on all school days included between any given day of one month and the same day of the next month, shall be deemed to have been absent one month, and shall forfeit for such absence one month's salary; provided, however, a regular teacher who has been absent for three or more weeks cannot report for duty within one week prior to a regular or ordered vacation of one week or more.

There shall be deducted from the salary of any regular teacher for absence for any period less than one month 1-25 of the monthly salary of said teacher for each day's absence.

## ARTICLE X.

## GENERAL REGULATIONS.

Sec. 1. Fire Drill.—1. Each Grammar and Primary school in the department having an average daily attendance of more than two hundred pupils shall adopt a fire drill.

2. Each principal of such school shall institute such a system of drill as will empty the building of the pupils in the shortest time.

3. Every drill shall be timed by the principal, and a record of the same included in his monthly statistical report.

4. The general alarm shall consist of the cry of fire, or by the cry of fire followed by a quick and violent ringing of the gong, or by the ringing of the gong only.

5. The fire drill shall be enforced once, at least, in each month, and whenever called for by the superintendent. The alarm must always be given unexpectedly, at which time every pupil must leave the building.

6. Principals and teachers must, at least twice a month, explain the general alarm to all the pupils, and distinctly state the absolute necessity of promptitude in obeying the alarm; must enforce quietness in the ranks, and in no instance shall any pupil interfere with another by pushing or touching with the hand or feet—each must be entirely free and independent in movement.

7. The girls must start before the boys on the sounding of the alarm.

8. In case of fire, whoever first discovers it shall sound the general alarm, and this duty shall not be the office of any particular person.

9. In order to empty any one room without sounding the general alarm, there shall be a still alarm, the teacher giving some previously designed signal, at which the girls shall immediately rise and file quietly out of the room, the boys following.

10. No loud talking or disturbance of any kind shall be permitted during the drill.

11. In the High Schools, the principals shall devise a plan for the rapid and safe exit of students in case of fire. The plan in brief, shall be posted permanently in each room in the building and shall be referred to and explained at least once a month by the teachers.

Sec. 2. Advertisements.—No advertisement shall be read, distributed, or given in schools, nor shall any newspaper or publication of any kind be advertised or distributed in schools by teachers, pupils or other persons.

Sec. 3. Sectarianism.—No sectarian or denominational publication, of any kind whatever, shall be used in the schools or made a part of any school library; nor shall any denominational or sectarian doctrines be inculcated, or present party politics be discussed by teachers on the school premises.

Sec. 4. Presents or Subscriptions.—No teacher shall contribute towards any gift to the members of the Board of Education or Superintendent; nor shall pupils be allowed to contribute money toward any gift or present to any teacher or school officer; nor shall a contribution of any kind be made in school, unless authorized by a special act of the Board of Education.

Sec. 5. Buildings.—No school building shall be used for other than school purposes, except by special permission of the Board of Education.

Sec. 6. Exhibitions, Etc.—No festival, exhibition, concert, entertainment, excursion, or picnic shall be held by any school, or by any student organization of any school, unless authorized by the Board of Education; nor shall any entertainment be given for the benefit of a student activity of either of the High Schools unless the financial arrangements are in the hands of the respective principal, and the program has received the sanction of a committee of the faculty of the school.

Sec. 7. Any team of students of any of the schools of this department desiring to contest with a team of students of any other school outside the city, shall request and obtain the sanction of the principal, and the supervision of the principal or a teacher assigned by him, before such contest may be held. The penalty for the violation of this rule shall be suspension from school for the term in which the offense has been committed.

Sec. 8. No pupil shall be excused from school before the close of the day's session to practice for any school activity.

Sec. 9. (a) Contagious Diseases.—When a principal has reason to believe that any pupil in his school is affected by any of the following diseases, to-wit: Smallpox, Yellow Fever, Asiatic Cholera, Diphtheria, Measles, Whooping Cough, Erysipelas, Mumps, Pediculosis (lice), Scabies (itch), Scarletina, Scarlet Fever, Purulent Conjunctivitis, or Pulmonary Tuberculosis accompanied by expectoration, it shall be his duty to exclude the pupil at once, and not to re-admit him until he presents a certificate signed either by the Health Officer or a regularly licensed physician, stating either that the disease does not exist, or that the following conditions have been complied with:

After Smallpox, until released from quarantine.

After Yellow Fever, until released from quarantine.

After Asiatic Cholera, until released from quarantine.  
 After Scarlet Fever, until desquamation has ceased.  
 After Scarlatina, until desquamation has ceased.  
 After Measles, until desquamation has ceased.  
 After Whooping Cough, until whoop has ceased.  
 After Mumps, until disease has disappeared.  
 After Erysipelas, until disease has disappeared.  
 After Purulent Conjunctivitis, until disease has disappeared.  
 After Scabies (itch), until disease has disappeared.  
 After Pediculosis (lice), until disease has disappeared.  
 After Pulmonary Tuberculosis, until expectoration has ceased.

After Diphtheria, until a negative culture taken from both nose and throat has been obtained and the premises disinfected.

(b) When Permitted to Re-enter.—When a pupil has been subjected to the contagion of any of the following diseases, his attendance at school should be prohibited during the periods designated, unless the pupil has already had the disease: Exclude after exposure to

Smallpox, for sixteen days after last exposure.  
 Yellow Fever, for two weeks after last exposure.  
 Asiatic Cholera, for two weeks after last exposure.  
 Measles, for two weeks after last exposure.  
 Diphtheria, for one week after last exposure.  
 Scarlet Fever, for one week after last exposure.  
 Scarlatina, for one week after last exposure.  
 Whooping Cough, for ten days after last exposure.

(c) Employees.—No person affected with pulmonary tuberculosis shall be employed or retained in the service of the Public School Department of the City of Oakland. Any employee in the service of the Public School Department suspected of being affected with pulmonary tuberculosis shall, within one week after having been notified by the City Superintendent of Schools, withdraw from the service of the School Department, or submit to a bacteriological examination by the City Bacteriologist, who shall, upon the completion of such examination file with the City Superintendent of Schools a certificate setting forth the result of such examination. The examination shall be made without cost to the applicant, and the certificate of the City Bacteriologist shall be the only evidence required by the Board of Education for its action in the premises.

Sec. 10. Holidays.—All holidays declared by executive proclamation, all holidays fixed by statute (excepting general election days), commencement day at the University of California and the Friday after Thanksgiving, shall be observed as holidays in this department.



Sec. 11. Payment of Debts.—Any employe of this department who wilfully fails or neglects to pay his or her debts, having the ability to do so, shall be subject to suspension or dismissal from the department.

#### RULES FOR RAISING THE FLAG.

Sec. 12. First—The Flag of Our Country, only, shall be raised over any school house.

Second—The flag shall be raised on all national holidays, from sunrise until sunset, and on all school days, except in windy or stormy weather, from 8:30 a. m. to 3 p. m.; provided that it shall not be employed to commemorate any event having its origin on foreign soil, or to celebrate the success of any political party.

Third.—The flag shall be displayed at half-mast on Memorial Day, as a token of respect upon the death of the President of Vice-President of the United States, the speaker of the National House of Representatives, Chief Justice of the United States, the Commanding General of the Army, the ranking Admiral of the U. S. Navy, the Governor, Lieutenant-Governor, Speaker of the House, Chief Justice, Superintendent of Public Instruction of the State of California, a member of the City Government of Oakland, a teacher of the school, and on such other days as may be ordered by the Board, the President of the Board, or the superintendent.

Sec. 13. Placing School Desks.—First. Pupil's desks in all instances must be placed so that the light will fall on the desk from the left of the pupil.

This light is to come from the side of the room that contains the greatest amount of glass surface. If, to comply with this rule, it is necessary for the pupil to face a window, dark shades must be drawn over this window at all times while pupils are in the class room. No desk is to be placed a greater distance from the light, if possible, than one and one-half times the distance from the top of the window to the floor, nor a greater distance from the front blackboard than thirty feet.

Second—To comply with this rule as nearly as possible, the aisle on the side whence the light comes should not be more than 27 inches wide. Intermediate aisles not more than 21 inches unless it is possible to make these aisles wider and still comply with the rule in reference to placing the inside row of desks.

Third—Teachers' desks are to be placed in the front of the room and not nearer the side of the room whence the light comes than one-half the width of the room.

Fourth.—Place the pupil on some seat approximately the

proper height. Have him place his foot so that the leg and thigh form a right angle. Place measuring gauge so that the horizontal bar is in the angle at the knee. Adjust this so that the horizontal bar lightly touches the thigh close to the knee. When this is done, set the thumb screw. The height of the horizontal arm of the measuring gauge will give the height of the seat at the outside point. The height of the vertical arm will give the height of the edge of the desk next to the seat.

Fifth.—Desks shall be so placed that the edge of the seat and the edge of the desk overlap one inch.

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## Article VII—City Charter

### EDUCATIONAL DEPARTMENT.

Section 112. The government of the School Department of the city shall be vested in a Board of Education, to consist of eleven members, to be called School Directors, and who shall receive no compensation. One School Director shall be elected from each ward, and four from the city at large. Their term of office shall be two years. No person shall be eligible to the office of School Director unless he is at the time of his election the head of a family; and no two of those elected at large shall be residents of the same ward at the time of their election.

Sec. 113. The Board of Education shall, immediately after its election and qualification meet and organize by electing one of its number president, whose term of office shall be one year. The Board shall hold regular meetings at least once in each month, and at such times as shall be determined by its rules. Special meetings may be called at any time by the President or any three of the members. A majority of all the members shall constitute a quorum for the transaction of business, and the affirmative vote of six members shall be necessary to pass any measure, but a smaller number may adjourn from time to time. The Board may determine the rules of its proceedings, and the ayes and noes shall be taken when demanded by any member and entered on the records of the Board. Its records shall be open to public inspection. The Board shall fill all vacancies occurring in the Board, until the next municipal election.

Sec. 114. The powers and duties of the Board of Education are as follows:

1. To establish and maintain public schools, to change, consolidate and discontinue the same, to manage and control the school property, to establish school districts, and to fix and alter the boundaries thereof.

2. To employ, pay, and dismiss teachers, janitors and school census marshals, and such persons as may be necessary to carry into effect the powers and duties of the Board, and to fix, alter, allow and order paid their salaries or compensation, and to withhold for good and sufficient cause, the whole or any part of the salary or wages of any person or persons employed as aforesaid; provided, that no teacher shall be dismissed until after investigation, and without good cause established to the satisfaction of the Board.

3. To make, establish and enforce all necessary and proper rules and regulations for the government and progress of public schools, and for the investigation of charges against any person in the employ of the department, and for carrying into effect the laws relating to education; also to establish and regulate the grade of schools, and determine what text-books (other than those published by the State), course of study, and mode of instruction, shall be used in said schools; but any text-book determined upon by the Board shall not be changed within a period of four years after its adoption.

4. To provide for the School Department all necessary supplies and incur such other incidental expenses as may be necessary for the welfare of the department.

5. To build, rent and provide school houses, and to furnish them with proper school furniture, apparatus and appliances.

6. To purchase, sell or exchange school lots, and to take charge of any and all real estate and personal property that may have been acquired, or may hereafter be acquired, for the use and benefit of the public schools of the city; and to make in the name of the city, conveyances of property belonging to the city and sold by the Board of Education; provided, that no real estate shall be bought, sold or exchanged, without the consent of the Council, evidenced by ordinance; and provided further, that the proceeds of any such sale or exchange of real estate shall be exclusively applied to the purchase of other lots, or the erection of school houses for the use of this department.

7. To appoint school census marshals on or before the first day of May of each year, whose duties shall be as prescribed by general laws, and to notify the County Superintendent of Schools of such appointments.

8. To sue in the name of the city for any and all property acquired and claimed for the use and benefit of the School De-

partment, and to prosecute and defend all actions at law or in equity necessary to recover and maintain the full enjoyment and possession of said property, and to acquire the services of the City Attorney in all such actions.

9. To estimate annually the amount of money required for the support of the public schools, and for carrying into effect all the provisions of law in reference thereto; and in pursuance of this provision, the Board shall, on or before the last Monday of July of each year, submit in writing to the Auditor a statement, verified by at least a majority of the Board, containing a careful estimate of the whole amount of money to be received from the State and County, and the amount required from the city for the above purposes. The Auditor shall transmit the same to the Council, as in this Charter provided, and the Council shall in each year, after receiving such estimate, fix, in its discretion, by ordinance, the percentage of taxes to be levied and collected for school purposes; provided, that the amount to be thus levied for school purposes shall not exceed thirty cents on each one hundred dollars valuation upon the assessment roll, but may be increased to forty cents, by the consent of two-thirds of the Council, and that when collected it shall be immediately paid into the School Fund, to be drawn out only upon the order of the Board of Education.

10. To establish regulations for the just and equitable disbursement of all moneys belonging to the Public School Fund.

11. To examine every demand payable out of the School Fund, and for good cause to reject any such demand, or to allow the same, in whole or in part, and to compel the attendance of witnesses before the Board, or any committee thereof, in any matter under investigation.

12. To discharge all legal incumbrances now existing, or which may hereafter exist, upon any school property.

13. To prohibit any child under six years of age from attending the public schools, and to suspend or expel pupils for misconduct.

14. To dispose of and sell at public auction such personal property as shall no longer be required by the department. All moneys realized from such sales shall be paid into the treasury to the credit of the School Fund.

15. To receive and manage property or money acquired by devise, bequest or donation in trust for the benefit of any school, educational purpose or school property.

16. To exclude from the schools and school libraries all books, publications or papers of sectarian, partisan or denominational character.

17. To furnish books for the children of parents unable to

furnish them. The books so furnished shall belong to the city, and shall be kept in the libraries of the schools when not in use.

18. To keep a register at each school, open to the inspection of the public, of all children applying for and entitled to admission in the schools, and to notify the parents or guardians of such children when vacancies occur, and to receive such children in the the schools in the order in which they are registered.

19. To make an annual report on or before the first day of July of each year to the County Superintendent of Schools in the manner and form on the blanks prescribed by the State Superintendent of Public Instruction.

20. To make a report whenever required directly to the State Superintendent of Public Instruction of the text-books used in the City Schools.

21. Each member of the Board shall visit every school in the city, at least once in each term, and examine carefully into its management, condition and wants.

22. It shall be the duty of the Board to prescribe a course of study that will fit and prepare the students therein to enter any department of the University of the State of California. Such course shall be known as the High School course.

23. The Board may provide departments for the training of pupils in the industrial and mechanical arts and shall have power to furnish such departments with necessary tools, apparatus and appliances.

24. And generally to do and perform such other acts as may be required by general law applicable to the city, and as may be necessary and proper to carry into force and effect the powers conferred on said Board, and to increase the efficiency of the public schools in the city.

Sec. 115. The City School Superintendent, and each member of the Board, shall have power to administer oaths and affirmations in all matters connected with the department.

Sec. 116. For all supplies, books, stationery, fuel, printing, goods, merchandise, and all other materials and supplies for the public schools, or any of them, when the expenditure to be incurred on account of such matters may exceed one hundred dollars, the Board of Education shall make a requisition upon the Board of Public Works. Such requisition shall state in clear and explicit terms the quantity and kind of all articles needed, and when, how and where to be delivered.

Sec. 117. The Board of Education shall annually, at its first regular meeting in May, make such requisition for all supplies estimated to be required for the School Department for the ensuing fiscal year.

Sec. 118. It shall be the duty of the Board to furnish annually, in writing, such information concerning the Public Schools of the city as may be required from it by law, or the State Superintendent of Public Instruction, or the Council.

Sec. 119. The Board of Education, at any time when deemed necessary, may, by resolution passed at a regular meeting, make a requisition upon the Board of Public Works for plans and specifications and estimates for a new school house, specifying the location thereof, the number of class rooms needed, the date on which it should be completed, the amount of money in the School Fund available for the purpose, and such other information as will enable the Board of Public Works to prepare the necessary plans, specifications and estimates of the cost of such school house.

Sec. 120. The Board of Public Works shall within thirty days after the receipt of such requisition, submit in duplicate to the Board of Education such plans, specifications, estimates, which the Board of Education may approve, reject, or recommit to the Board of Public Works. When approved, the date of approval shall be endorsed on each duplicate, by the president and secretary of the Board of Education, and thereupon one of said duplicates shall be filed with the archives of the Board of Education, and the other shall be returned to the Board of Public Works, which shall proceed without delay with the erection of such new school house in accordance therewith.

Sec. 121. The Board of Public Works shall notify the Board of Education of the completion of such new school house. The Board of Education shall thereupon examine the same, and if built in accordance with the plans and specifications, and within the estimated cost thereof, shall accept, pay for and take possession thereof.

Sec. 122. When any school house, building, fence, grounds or sidewalk under the control of the Board of Education needs repairing, altering, improving, or additions, said Board shall notify the Board of Public Works, specifying in general terms, the work to be done. If the cost of such repairing, altering, improving, and additions shall not exceed two hundred dollars, the last named Board shall cause the same to be done forthwith, and report the completion thereof, with an itemized account of the cost, to the Board of Education. If the cost of such repairing, altering, improving, and additions shall exceed said sum, the same proceedings shall be had as provided for the erection of a new school house.

Sec. 123. Any school director, or officer, or other person officially connected with the School Department, or drawing a salary from the Board of Education, who shall, while an officer

so connected or drawing salary, be interested, either directly or indirectly, in, or who shall gain any advantage or benefit from any contract, payments under which are to be made, in whole or in part, out of the moneys derived from the School Fund, or raised by taxations or otherwise for the support of the public schools, or who shall gain or attempt to gain, by reason of any official act or the promise of any official act, any consideration, advantage or benefit from any teacher or any employe of the department, or from any applicant for a position in the department, shall forfeit his office and be forever disqualified from holding any position in the service of the city; and this provision shall not be construed to relieve such persons from any other penalty, but shall be deemed cumulative to other penalties and disabilities for such acts and offenses.

Sec. 124. The Board of Education shall, between the first and tenth days of June of each year, fix a schedule of salaries for teachers and employes of the School Department, to take effect on the first day of July following, and to remain in force during the fiscal year.

Sec. 125. There shall be a City Board of Examination, which shall have the authority, and shall be constituted, governed and compensated as provided in Article XVII, Chapter III, Title III, Part III, of the Political Code, and all Acts amendatory thereof and supplementary thereto; and the holders of the certificates granted by the Board of Examination, shall be entitled to the same protection, and subject to the same rules and regulations as are provided in said Article XVII.

Sec. 126. It shall be the duty of the Board of Education, immediately after its organization, to elect a City School Superintendent, who shall be an experienced teacher, and whose term of office shall be four years. The City School Superintendent may appoint an assistant, who shall also be an experienced teacher, and whose salary shall be fixed by the Board.

Sec. 127. The City School Superintendent shall act as secretary and bookkeeper to the Board of Education, and perform the clerical duties required by such Board. In the absence of the superintendent and his assistant, the Board of Education may appoint one of its number to act as secretary. It shall be the duty of the Superintendent, for good and sufficient cause, to provisionally suspend any teacher employed in the schools of the city until the next meeting of the Board. It shall be his duty to report to the Board of Education, annually, and at such other times as it may require, all matters pertaining to the expenditure, income, and condition and progress of the public schools of said city during the preceding year, with such

recommendations as he may deem proper; to visit each school at least once a month; to observe, and cause to be observed, such general rules for the regulation, government and instruction of the schools as may be established by the Board; to recommend to the Board for good cause the dismissal of teachers and the cancellation of their certificates, stating the reasons therefor; to attend all sessions of the Board, and inform it at each session of the condition of the public schools, school houses, School Fund, and other matters connected therewith, and recommend such measures as he may deem necessary for the advancement of education in the city; to acquaint himself with all the laws, rules and regulations governing the public schools of the city, and the judicial decisions thereon, and give advice connected with the public schools, gratuitously, to officers, teachers, pupils, and their parents and guardians.

Sec. 128. The School Fund shall consist of all moneys received from the State and County School Fund; of all moneys arising from taxes, which shall be levied annually by the Council for school purposes; of all moneys arising from the sale, rent or exchange of any of the school property, and of such other moneys as may, from any source whatever, be paid into the School Fund, which fund shall be separate and distinct from all other moneys, and shall only be used for school purposes under the provisions of this Charter. If, at the end of any fiscal year, any surplus remains in the School Fund, such surplus money shall be carried forward to the School Fund of the next fiscal year, and shall not be for any purpose whatever diverted and withdrawn from said fund, except under the provisions of this Charter.

Sec. 129. The School Fund shall be used and applied by the Board of Education for the following purposes, to-wit:

1. For the payment of the salaries or wages of the Superintendent, assistant superintendent, teachers, janitors, school census marshals, and other persons who may be employed by said Board.

2. For the erection, alteration, repairs, rent and furnishing of school houses.

3. For the purchase money or rent of any real or personal property purchased by or leased to said Board.

4. For the discharge of all legal incumbrances on any school property.

5. For lighting and heating the school rooms and the offices and rooms of the superintendent and Board of Education.

6. For supplying the schools with fuel, water, apparatus, blanks, blank books, and the necessary school appliances, together with books for indigent children.



7. For supplying books, printing and stationery for the use of the superintendent, Board of Education and Board of Examination, and for the incidental expenses of the Department.

8. For grading and improving school lots, and for grading, sewerage, planking or paving and repairing streets, and constructing and repairing sidewalks in front thereof.

Sec. 130. All claims payable out of the School Fund shall be filed with the secretary of the Board, and after they shall have been approved by a majority of all the members elected to said Board, upon a call of the ayes and noes, which shall be recorded, they shall be signed by the president of the Board and by the City School Superintendent. Every demand shall have endorsed upon it a certificate of its approval. All demands for salaries shall be paid monthly, and all claims payable out of the School Fund, shall be by warrant, signed by the president and secretary of the Board.

Sec. 131. All demands authorized by this article shall be paid by the treasurer from the School Fund when the same shall be presented to him, approved by the Board and duly audited by the Auditor; provided, that no demand shall be paid except upon such a warrant as aforesaid, duly endorsed by the payee named therein, and provided further, that the said Board shall not have power to collect any debts or liabilities in any form whatever against the city in contravention of this article, or exceeding in any year the income and revenue provided for the School Fund of such year.

Sec. 132. In case of disaster from fire, riot, earthquake or public enemy, the Board of Education may, with the approval of the mayor and Council, incur extraordinary expenditures, in excess of the annual limit provided by law and in this Charter, for the repair, construction and furnishing of school houses; and the Council may by ordinance cause to be transferred to the School Fund from moneys in any other fund, not otherwise appropriated, sufficient moneys to liquidate such extraordinary expenditure.

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